

IN THE LEGISLATIVE CLASS OF ARTICLE ONE
EMPOWERED UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

United States of America v. Earl Rize, cause no. 19-cr-30167

MOTION FOR CHANGE OF VENUE FROM THIS LEGISLATIVE
CLASS ARTICLE ONE EMPOWERED UNITED STATES
DISTRICT COURT TO THE CONSTITUTIONAL CLASS
ARTICLE THREE EMPOWERED DISTRICT COURT OF
THE UNITED STATES

Comes now Defendant Earl Rize (DER) and for his motion
for change of Venue, states as follows:

1. That the United States District Courts, by their
creation through Legislation of Congress, are of the
Legislative class of Federal court. (See: 80th Congress,
2nd Sess., Ch. 646, June 25, 1948, An Act; American Ins.
Co. v Canter, 26 US 511 at 546 (S.Ct. 1828))
2. And the District Courts of the United States, by their
creation, that, Congress did "ordain and establish" them
as the Constitutional class of Federal court. (See Judi-
ciary Act of 1789; Ex Parte Bakelite Corp., 229 US 438
at 449-450 (S. Ct. 1929))
3. In the June 25, 1948, Act, that Congress made no name
change provision, and said act did not abolish the
Constitutional class "District Courts of the United
States", (U.S.)
4. That, for a Federal court to "seamlessly" accept the
Judicial Power of the U.S. to hear and adjudicate Art-
icle Three (Art. III) "cases and controversies" (see: U.S.
Constitution (Const.) Art III, section 2), Congress, in
that courts creation, must make a provision to "ordain
and establish" (See: U.S. Const. Art III, section one) it under
Art. III, and abolish any former Art. III Constitutional
court.
5. And for the Facts, not theories, previously outlined,
which, based on Federal Legislation, U.S. Const., and

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CLASS ARTICLE ONE EMPOWERED UNITED STATES
DISTRICT COURT TO THE CONSTITUTIONAL CLASS
ARTICLE THREE EMPOWERED DISTRICT COURT OF
THE UNITED STATES

Comes now Defendant Earl Rice (DER) and for his motion
for change of venue, states as follows:

1. That the United States District Courts, by their creation through Legislation of Congress, are of the Legislative class of Federal court. (See: 80th Congress, 2nd Sess., Ch. 646, June 25, 1948, An Act; American Ins. Co. v. Canter, 26 US 511 at 546 (S.Ct. 1828))
2. And the District Courts of the United States, by their creation, that, Congress did "ordain and establish" them as the Constitutional class of Federal court. (See Judiciary Act of 1789; Ex Parte Bakelite Corp., 229 US 438 at 449-450 (S. Ct. 1929))
3. In the June 25, 1948, Act, that Congress made no name change provision, and said act did not abolish the Constitutional class "District Courts of the United States", (U.S.)
4. That, for a Federal court to "seamlessly" accept the Judicial Power of the U.S. to hear and adjudicate Article Three (Art. III) "cases and controversies" (see: U.S. Constitution (Const.) Art. III, section 2), Congress, in that courts creation, must make a provision to "ordain and establish" (See: U.S. Const. Art. III, section one) it under Art. III, and abolish any former Art. III Constitutional court.
5. And for the Facts, not theories, previously outlined, which, based on Federal Legislation, U.S. Const., and

current U.S. Law (see: below), the Legislative class U.S. District Courts are fully empowered under Art. One to hear and adjudicate Art. One misdemeanor criminal offenses against U.S. Law occurring on U.S. owned and federally controlled Land (See: Art. One, section 8, clause 17; 40 USC 3112 subsections (a), (b), and (c); e.g., 41 CFR 102-74), and civil actions that do not exceed the sum or value of \$10,000 U.S. (See: 28 USC 1331)

6. And, while DER has heard the "theory" propounded by a CIA public pretender (sic), that, "hey, it's an Art. III judge hearing the case...!", that bubble was burst long ago by Senior District Judge Wyatt, and I quote: "It is fundamental that a district judge has no judicial power individually; his power is exercised as the representative (Rep) of a court. 'Jurisdiction' is lodged in a court, not a person. The judge, exercising the jurisdiction, acts for the court." U.S. v Roberts, 618 F.2d 530 at 546 (9th Cir. 1979, citing In re Brown, 346 F.2d 903 at 910 (5th Cir 1965), • "Brown" quoted with approval in; • U.S. v Teresi, 484 F.2d 894 at 898 (7th Cir. 1973) •

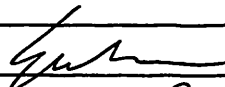
7. And while Rep Sizom, a Magistrate, is properly sitting for this Legislative court, that by all controlling law, both Illinois State and U.S., regardless of the issue of the lack of U.S. territorial jurisdiction over the Land any alleged offense against U.S. Law occurred upon never being properly addressed, the jurisdiction of this court, for the facts previously stated, does not reach anything more than misdemeanor offenses, therefore, lacks subject-matter and in-personam jurisdiction in this instant matter.

8. That, as this court in its current form, and by the Controlling Question of Law, currently lacks any jurisdiction, whether territorial, original, Art. III, subject-matter, etc. (See: DER's Evidence Exhibits 1 and 2, that all previous orders entered in this court,

including Rep Sizons order of detention entered Dec. 27, 2019, are coram non judis, therefore DER is being held under Color of Law.

Wherefore DER prays that the next Rep (See DERs Filing of Bias under 28 USC 144) of this legislative Court will be Honorable enough to admit to and administer the Laws as they are written, and, if that Rep will not, or cannot transfer this cause to a Constitutional class of Art. III Empowered District Court of the United States then, in the alternative to dismiss all charges against DER with prejudice.

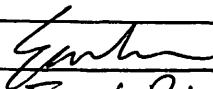
Thank You, and
Respectfully Submitted this 8th day of Oct, 2021, by:



Earl Rice, Defendant

Let my signature below serve to certify my request of Margaret Robertie, Clerk of Court, to date stamp these original documents, make copies, file the originals, send a date stamped copy back to me at the address below, and serve copies on A. Burns and K. Rajagopal, and any other interested party.

Thanks Again,
Respectfully Submitted this 8th day of Oct., 2021, by:



Earl Rice, Defendant
Monroe Co. Jail
225 E. 3rd Street
Waterloo, IL 62298

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225 E. 3rd Street
Waterloo, IL. 62298

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
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